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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,614	11/12/2003	In-Soo Jung	38840.00004.UTL1	9012
7590 10/24/2005			EXAMINER	
Paul, Hastings, Janofsky & Walker LLP			MAH, CHUCK Y	
P.O. Box 919092				
San Diego, CA 92130			ART UNIT	PAPER NUMBER
			3677	
			DATE MAILED: 10/24/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)			
Office Action Summary		10/712,614	JUNG ET AL.			
		Examiner	Art Unit			
-		Chuck Mah	3677			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1)[汉]	Responsive to communication(s) filed on 29 August 2005.					
	This action is FINAL . 2b) ☐ This action is non-final.					
, —	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
,	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4) 🛛	4)⊠ Claim(s) <u>1-10 and 12-24</u> is/are pending in the application.					
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6)⊠	6)⊠ Claim(s) <u>1-10,12-14,16-20,23 and 24</u> is/are rejected.					
7)🖾	· · · · · · · · · · · · · · · · · · ·					
8)[8) Claim(s) are subject to restriction and/or election requirement.					
Application Papers						
9) The specification is objected to by the Examiner.						
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:						
,-	1. Certified copies of the priority documents have been received.					
	2. Certified copies of the priority documents have been received in Application No					
	3. Copies of the certified copies of the priority documents have been received in this National Stage					
	application from the International Bureau (PCT Rule 17.2(a)).					
* See the attached detailed Office action for a list of the certified copies not received.						
Attachment(s)						
	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948)	4) La Interview Summary Paper No(s)/Mail D				
3) 🔲 Inforn	nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08 No(s)/Mail Date	5) Notice of Informal Patent Application (PTO-152) 6) Other:				

DETAILED ACTION

Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 2. Claims 2-9, 13, 16-18, 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 is vague and indefinite. From claim 1, it is understood that only "A mounting block" is being claimed. Later in claim 2, however, "the telescoping handle" is addressed as being adjusted relative to the base. It is not clear whether applicant intends to claim a block-handle combination or a mounting block subcombination. Note similar errors in claim 9. For examination purpose claims 1-9, according to the preamble of claim 1, are treated as subcombination claims.

In claim 5, there is not sufficient information as how the "collar" is structurally related to the block for securing the inner segment to the base. Apparently there is no connection linking the collar to the base.

In claim 6, it is not clear how "a first collar and a second collar" are structurally defined over "a collar" of claim 5. The collar of claim 5 and the collars of claims 6 perform an identical securing.

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In claim 13, line 2, "ore" should be -or--.

In both claims 16 and 17, line 2, it cannot be understood what "the screw" is referred to the how it is related to "the clip".

Both claims 18 and 24 depend from a canceled claim. For examination purpose claim 18 is treated as being depending directly claim 10 and claim 24 is treated as depending directly from claim 18.

Claim Rejections - 35 USC § 102

- 3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
- 4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
- 5. Claims 1-5, 7-8, 10, 12-14, 16-17, 19 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Carrigan, Jr. (5,167,306). Carrigan, Jr. has a base (120), a release and retaining mechanism or clip (108), and inner segment (42), an outer segment (40), a collar (90), and an inherent "identifying color". "using one or more screw" is not a positive limitation in an apparatus claim.

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Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 7. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carrigan Jr. '306.

'306 discloses the invention as claimed but for securing the clip with a screw. It would have been obvious to use of screw to secure the clip to the base. Using addition fastener would provide a positive attachment to prevent an accidental disengagement of the sleeve from the base.

Allowable Subject Matter

- 8. Claims 6, 9, 18 and 24 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
- 9. Claims 15, 21 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

10. Applicant's arguments with respect to claims 1-23 have been considered but are most in view of the new ground(s) of rejection.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Mah whose telephone number is (571)272-7059. The examiner can normally be reached on 5/4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on (571)272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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